


B1040 (FORM 1040) (12/15)

ADVERSARY PROCEEDING COVER SHEET (Instructions on Reverse)		ADVERSARY PROCEEDING NUMBER (Court Use Only)		
PLAINTIFFS M.B., I.B. and J.S.	DEFENDANTS Matthew Guy Landgraf, Kevin M. Ross, Trustee, for the Use and Benefit of Matthew Guy Landgraf, Kevin M. Ross, Individually, STi Family Holdings, LP, Sti Family Management, LLC and STI Real Estate, LLC			
ATTORNEYS (Firm Name, Address, and Telephone No.) Peckar & Abramson, P.C. 8080 N. Central Expressway, Ste. 1600, LB 65 Dallas, Texas 75206 (214) 523-5100	ATTORNEYS (If Known) (for Debtor) Clayton L. Everett Norred Law, PLLC 515 E. Border St. (817) 704-3984 Arlington, TX 76010			
PARTY (Check One Box Only) <input type="checkbox"/> Debtor <input type="checkbox"/> U.S. Trustee/Bankruptcy Admin <input checked="" type="checkbox"/> Creditor <input type="checkbox"/> Other <input type="checkbox"/> Trustee	PARTY (Check One Box Only) <input checked="" type="checkbox"/> Debtor <input type="checkbox"/> U.S. Trustee/Bankruptcy Admin <input type="checkbox"/> Creditor <input type="checkbox"/> Other <input type="checkbox"/> Trustee			
CAUSE OF ACTION (WRITE A BRIEF STATEMENT OF CAUSE OF ACTION, INCLUDING ALL U.S. STATUTES INVOLVED) Fraudulent conveyance and conspiracy				
NATURE OF SUIT (Number up to five (5) boxes starting with lead cause of action as 1, first alternative cause as 2, second alternative cause as 3, etc.)				
<table style="width: 100%; border: none;"> <tr> <td style="width: 50%; vertical-align: top; border: none;"> FRBP 7001(1) – Recovery of Money/Property <input type="checkbox"/> 11-Recovery of money/property - §542 turnover of property <input type="checkbox"/> 12-Recovery of money/property - §547 preference <input type="checkbox"/> 13-Recovery of money/property - §548 fraudulent transfer <input type="checkbox"/> 14-Recovery of money/property - other FRBP 7001(2) – Validity, Priority or Extent of Lien <input type="checkbox"/> 21-Validity, priority or extent of lien or other interest in property FRBP 7001(3) – Approval of Sale of Property <input type="checkbox"/> 31-Approval of sale of property of estate and of a co-owner - §363(h) FRBP 7001(4) – Objection/Revocation of Discharge <input type="checkbox"/> 41-Objection / revocation of discharge - §727(c),(d),(e) FRBP 7001(5) – Revocation of Confirmation <input type="checkbox"/> 51-Revocation of confirmation FRBP 7001(6) – Dischargeability <input type="checkbox"/> 66-Dischargeability - §523(a)(1),(14),(14A) priority tax claims <input type="checkbox"/> 62-Dischargeability - §523(a)(2), false pretenses, false representation, actual fraud <input type="checkbox"/> 67-Dischargeability - §523(a)(4), fraud as fiduciary, embezzlement, larceny <div style="text-align: center;">(continued next column)</div> </td> <td style="width: 50%; vertical-align: top; border: none;"> FRBP 7001(6) – Dischargeability (continued) <input type="checkbox"/> 61-Dischargeability - §523(a)(5), domestic support <input type="checkbox"/> 68-Dischargeability - §523(a)(6), willful and malicious injury <input type="checkbox"/> 63-Dischargeability - §523(a)(8), student loan <input type="checkbox"/> 64-Dischargeability - §523(a)(15), divorce or separation obligation (other than domestic support) <input type="checkbox"/> 65-Dischargeability - other FRBP 7001(7) – Injunctive Relief <input type="checkbox"/> 71-Injunctive relief – imposition of stay <input type="checkbox"/> 72-Injunctive relief – other FRBP 7001(8) Subordination of Claim or Interest <input type="checkbox"/> 81-Subordination of claim or interest FRBP 7001(9) Declaratory Judgment <input type="checkbox"/> 91-Declaratory judgment FRBP 7001(10) Determination of Removed Action <input checked="" type="checkbox"/> 01-Determination of removed claim or cause Other <input type="checkbox"/> SS-SIPA Case – 15 U.S.C. §§78aaa <i>et seq.</i> <input type="checkbox"/> 02-Other (e.g. other actions that would have been brought in state court if unrelated to bankruptcy case) </td> </tr> </table>			FRBP 7001(1) – Recovery of Money/Property <input type="checkbox"/> 11-Recovery of money/property - §542 turnover of property <input type="checkbox"/> 12-Recovery of money/property - §547 preference <input type="checkbox"/> 13-Recovery of money/property - §548 fraudulent transfer <input type="checkbox"/> 14-Recovery of money/property - other FRBP 7001(2) – Validity, Priority or Extent of Lien <input type="checkbox"/> 21-Validity, priority or extent of lien or other interest in property FRBP 7001(3) – Approval of Sale of Property <input type="checkbox"/> 31-Approval of sale of property of estate and of a co-owner - §363(h) FRBP 7001(4) – Objection/Revocation of Discharge <input type="checkbox"/> 41-Objection / revocation of discharge - §727(c),(d),(e) FRBP 7001(5) – Revocation of Confirmation <input type="checkbox"/> 51-Revocation of confirmation FRBP 7001(6) – Dischargeability <input type="checkbox"/> 66-Dischargeability - §523(a)(1),(14),(14A) priority tax claims <input type="checkbox"/> 62-Dischargeability - §523(a)(2), false pretenses, false representation, actual fraud <input type="checkbox"/> 67-Dischargeability - §523(a)(4), fraud as fiduciary, embezzlement, larceny <div style="text-align: center;">(continued next column)</div>	FRBP 7001(6) – Dischargeability (continued) <input type="checkbox"/> 61-Dischargeability - §523(a)(5), domestic support <input type="checkbox"/> 68-Dischargeability - §523(a)(6), willful and malicious injury <input type="checkbox"/> 63-Dischargeability - §523(a)(8), student loan <input type="checkbox"/> 64-Dischargeability - §523(a)(15), divorce or separation obligation (other than domestic support) <input type="checkbox"/> 65-Dischargeability - other FRBP 7001(7) – Injunctive Relief <input type="checkbox"/> 71-Injunctive relief – imposition of stay <input type="checkbox"/> 72-Injunctive relief – other FRBP 7001(8) Subordination of Claim or Interest <input type="checkbox"/> 81-Subordination of claim or interest FRBP 7001(9) Declaratory Judgment <input type="checkbox"/> 91-Declaratory judgment FRBP 7001(10) Determination of Removed Action <input checked="" type="checkbox"/> 01-Determination of removed claim or cause Other <input type="checkbox"/> SS-SIPA Case – 15 U.S.C. §§78aaa <i>et seq.</i> <input type="checkbox"/> 02-Other (e.g. other actions that would have been brought in state court if unrelated to bankruptcy case)
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<input checked="" type="checkbox"/> Check if this case involves a substantive issue of state law		<input type="checkbox"/> Check if this is asserted to be a class action under FRCP 23		
<input type="checkbox"/> Check if a jury trial is demanded in complaint		Demand \$		
Other Relief Sought				

B1040 (FORM 1040) (12/15)

BANKRUPTCY CASE IN WHICH THIS ADVERSARY PROCEEDING ARISES		
NAME OF DEBTOR Matthew Guy Landgraf		BANKRUPTCY CASE NO. 19-41155-elm
DISTRICT IN WHICH CASE IS PENDING Northern District of Texas	DIVISION OFFICE Fort Worth	NAME OF JUDGE Hon. Edward L. Morris
RELATED ADVERSARY PROCEEDING (IF ANY)		
PLAINTIFF	DEFENDANT	ADVERSARY PROCEEDING NO.
DISTRICT IN WHICH ADVERSARY IS PENDING	DIVISION OFFICE	NAME OF JUDGE
SIGNATURE OF ATTORNEY (OR PLAINTIFF) 		
DATE May 22, 2023	PRINT NAME OF ATTORNEY (OR PLAINTIFF) Tracey L. Williams	

INSTRUCTIONS

The filing of a bankruptcy case creates an “estate” under the jurisdiction of the bankruptcy court which consists of all of the property of the debtor, wherever that property is located. Because the bankruptcy estate is so extensive and the jurisdiction of the court so broad, there may be lawsuits over the property or property rights of the estate. There also may be lawsuits concerning the debtor’s discharge. If such a lawsuit is filed in a bankruptcy court, it is called an adversary proceeding.

A party filing an adversary proceeding must also must complete and file Form 1040, the Adversary Proceeding Cover Sheet, unless the party files the adversary proceeding electronically through the court’s Case Management/Electronic Case Filing system (CM/ECF). (CM/ECF captures the information on Form 1040 as part of the filing process.) When completed, the cover sheet summarizes basic information on the adversary proceeding. The clerk of court needs the information to process the adversary proceeding and prepare required statistical reports on court activity.

The cover sheet and the information contained on it do not replace or supplement the filing and service of pleadings or other papers as required by law, the Bankruptcy Rules, or the local rules of court. The cover sheet, which is largely self-explanatory, must be completed by the plaintiff’s attorney (or by the plaintiff if the plaintiff is not represented by an attorney). A separate cover sheet must be submitted to the clerk for each complaint filed.

Plaintiffs and Defendants. Give the names of the plaintiffs and defendants exactly as they appear on the complaint.

Attorneys. Give the names and addresses of the attorneys, if known.

Party. Check the most appropriate box in the first column for the plaintiffs and the second column for the defendants.

Demand. Enter the dollar amount being demanded in the complaint.

Signature. This cover sheet must be signed by the attorney of record in the box on the second page of the form. If the plaintiff is represented by a law firm, a member of the firm must sign. If the plaintiff is pro se, that is, not represented by an attorney, the plaintiff must sign.

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Attorneys for M.B., I.B. and J.S.

UNITED STATES BANKRUPTCY COURT
NORTHERN DISTRICT OF TEXAS
FORT WORTH DIVISION

IN RE: MATTHEW GUY LANDGRAF,	§	
<i>Debtor</i>	§	Case No. 19-41155-elm7
	§	
M.B., I.B. AND J.S.,	§	Chapter 7
<i>Plaintiffs,</i>	§	
	§	Adv. Proc. No.:
MATHEW GUY LANDRAF, KEVIN	§	
M. ROSS, TRUSTEE, FOR THE USE	§	
AND BENEFIT OF MATTHEW GUY	§	
LANDGRAF, KEVIN M. ROSS,	§	
INDIVIDUALLY, STi FAMILY	§	
HOLDINGS, LP, STi FAMILY	§	
MANAGEMENT, LLC AND STi	§	
REAL ESTATE, LLC	§	
<i>Defendants.</i>	§	

NOTICE OF REMOVAL

TO THE HONORABLE EDWARD L. MORRIS, UNITED STATES BANKRUPTCY JUDGE:

Pursuant to 28 U.S.C. §§ 1334 and 1452, M.B., I.B. and J.S. (the “Movants”), as Plaintiffs in the 296th Judicial District Court of Collin County, Texas, Cause No. 296-00801-2017 styled *M.B., I.B. and J.S. vs. Matthew Guy Landgraf, Kevin M. Ross, Trustee, for the Use and Benefit of Matthew Guy Landgraf, Kevin M. Ross, Individually, STi Family Holdings, LP, STi Family Management, LLC and STi Real Estate, LLC* (the “Removed Case”), hereby removes the Removed Case to the United

States Bankruptcy Court for the Northern District of Texas, Fort Worth Division, and would respectfully show the Court as follows:

BASIS FOR REMOVAL

1. The Removed case was commenced in the 296th District Court on February 16, 2017. Plaintiffs asserted claims in the Removed Case for: (1) Violation of the Uniform Fraudulent Transfer Act; (2) Civil Conspiracy; (3) Imposition of a Constructive Trust; (4) for Punitive and Exemplary Damages; (5) for Declaratory Judgment; and (6) for extraordinary relief. On March 22, 2019, the Debtor filed a voluntary petition for relief under chapter 7 of Title 11 of the United State Code in the United States Bankruptcy Court for the Norther District of Texas, Fort Worth, Division (the “Bankruptcy Case”). On March 27, 2019, the Debtor filed a suggestion of bankruptcy in the Removed Case and it was administratively closed by the Court.

2. The 296th District Court now seeks to dismiss the Removed Case for want of prosecution, despite the imposition of the automatic stay.

3. The Removed Case is a case related to the Bankruptcy Case and, upon removal, constitutes a “core” proceeding pursuant to 28 U.S.C. 157(b)(2)(B)(H). Therefore, the Bankruptcy Court has jurisdiction over the Removed Case pursuant to 28 U.S.C. § 1334(b). Pursuant to 28 U.S.C. § 1452(a) and Local Bankruptcy Rule 9027-1, the Removed Case is removed directly to the Bankruptcy Court.

4. As of the date of this Complaint, the automatic stay remains in effect.

5. Pursuant to Federal Bankruptcy Rule 9027(a)(1) and Local Bankruptcy Rule 9027-1(c), this Notice of Removal is accompanied by a copy of the docket sheet, attached hereto as Exhibit “A,” and all pleadings from the Removed Case, attached hereto as Exhibit “B.”

6. Movants consent to entry of final orders or judgment by the Bankruptcy Court.

WHEREFORE, Movants respectfully notify this court that, pursuant to 28 U.S.C. §§ 1334 and 1452, they have removed the Removed Case from the State Court to this Court.

Respectfully submitted,

PECKAR & ABRAMSON, P.C.

By: /s/ Tracey L. Williams

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ATTORNEYS FOR MOVANTS
M.B., I.B. AND J.S.

CERTIFICATE OF SERVICE

This is to certify that on this the 22nd day of May 2023, I electronically filed the foregoing document with the U.S. Bankruptcy Court for the Northern District of Texas, Fort Worth Division and emailed a copy of same on counsel for the Debtor and Trustee.

/s/ Tracey L. Williams
Tracey L. Williams